

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

NCS MULTISTAGE INC.,
NCS MULTISTAGE, LLC,

Plaintiffs,

v.

NINE ENERGY SERVICE, INC.,

Defendant.

CIVIL ACTION NO. 6:20-CV-00277-ADA

JURY TRIAL DEMANDED

**DEFENDANT NINE ENERGY SERVICE, INC.’S NOTICE OF WITHDRAWAL OF
MOTION FOR SUMMARY JUDGMENT OF NO WILLFUL INFRINGEMENT AND
NO CONDUCT WARRANTING ENHANCED DAMAGES (DKT. 114)**

Defendant Nine Energy Service, Inc. (“Nine”) hereby withdraws its Motion for Summary Judgment of No Willful Infringement and No Conduct Warranting Enhanced Damages (Dkt. 114) (“Motion”).

On October 8, 2021, Nine filed a Motion for Summary Judgement of No Willful Infringement and No Conduct Warranting Enhanced Damages (Dkt. 114). Thereafter, Plaintiffs NCS Multistage Inc. and NCS Multistage, LLC (collectively, “NCS”) notified Nine that they are voluntarily dismissing with prejudice their claims for willful infringement and enhanced damages, and the parties have filed a joint Stipulation of Dismissal of Certain Claims Pursuant to Rule 41(a)(1)(A)(ii) (Dkt. 143), formally dismissing those claims.

WHEREFORE, Nine respectfully notifies the Court of its withdrawal of its Motion. Nine’s counsel conferred with NCS’s counsel regarding the withdrawal of the Motion; NCS does not oppose this withdrawal.

Dated: October 14, 2021

Respectfully submitted,

VINSON & ELKINS LLP

/s/ Hilary L. Preston

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Attorneys for Defendant Nine Energy Service, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of October, 2021, a true and correct copy of the foregoing document was served on all counsel of record via the Court's CM/ECF system.

/s/ Jeffrey T. Han

Jeffrey T. Han